

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANA SMOLARZ,

Plaintiff,

Civil No. 2:16-CV-11883

v.

HON. R. STEVEN WHALEN
U.S. MAGISTRATE JUDGE

CAROLYN W. COLVIN,
ACTING COMMISSIONER
OF SOCIAL SECURITY,

Defendant.

STIPULATION TO REMAND TO THE COMMISSIONER

Pursuant to sentence four of 42 U.S.C. § 405(g), the parties stipulate that the Court should enter an order remanding the above-captioned case to the Commissioner for further administrative action. On remand, the Commissioner will re-determine Plaintiff's residual functional capacity. The Administrative Law Judge will also conduct further proceedings and develop the administrative record as necessary to determine whether Plaintiff is disabled within the meaning of the Social Security Act, including offering Plaintiff a new hearing, and issuing a new decision.

Respectfully submitted,

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¹ Signed with consent obtained by email by Special Assistant United States Attorney Lisa G. Smoller, received on December 8, 2016.

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CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2016, the foregoing document was electronically filed with the Clerk of the Court using the ECF system.

I further certify that an employee in the Office of the General Counsel's Office mailed, by United States Postal Service, the document to:

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Defendant.

**ORDER REMANDING CASE UNDER
SENTENCE FOUR PER PARTIES' STIPULATION**

The parties' Stipulation to Remand to the Commissioner is granted, and this case is remanded to the Commissioner for further proceedings under sentence four of 42 U.S.C. § 405(g). On remand, the Commissioner will re-determine Plaintiff's residual functional capacity. Plaintiff will also be offered the opportunity for a new hearing, and the ALJ will take any further action necessary to complete the administrative record.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: December 15, 2016